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**INTIMATIONS.**

GOLD MEDAL SILVER MEDALS  
By Appointment

**KUHN & CO.**  
HONGKONG. YOKOHAMA.  
(Established, 1869).

FINE ART  
**CHRISTMAS SHOW.**

**BROWN, JONES & CO.**  
ITALIAN AND AMERICAN MARBLE  
MONUMENTS AND MEMORIALS  
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A SELECTION EUROPEAN STONEWORK  
SUPERIOR IN ALL WORKS  
PLANTATION ATTENTION TO ORDERS FROM  
MARITIME PORTS  
Hongkong, 7th August, 1881.

**A. S. WATSON & CO., LIMITED.**

**AMERICAN CHEROOTES.**

These CHEROOTES made from a fine selected quality of PENNSYLVANIA TOBACCO LEAF, are mild, well matured, of excellent flavor, and will be found equal to Havanas. They are meeting with much favour in the Colony as an agreeable change from the usual Yacht Cigars, and we confidently recommend them to the notice of Smokers.

Prices \$5.50 per Box of 250.

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PORTS, SHERRIES, CLARETS, BRANDY, SCOTCH WHISKY, IRISH WHISKY, BOURBON WHISKY, GIN AND RUM. Our favourite and well-known Brands of the above are brought direct from the most noted shippers and packed in wood & d bled by ourselves, thus insuring us to supply the best growths at moderate prices. We shall be pleased to furnish full particulars and price lists on application.

**CLAY'S FERTILIZER.**  
A light colored fertilizer for pot plants and for use in the garden generally: it supplies natural nutriment to the soil, and assists the process of assimilation, thereby aiding the plants to attain to their full size, vigour and beauty.

Sold in Tins containing 10lb each.....\$1.50  
Bags 25b .....\$4.00.

Directions for use are given on the label.

**"RANSOME'S "NEW PARIS"**  
LAWN MOWERS.

The best and cheapest Machine in the market, for sale at manufacturers' prices.

LAWN GRASS SEED.  
SWEET CORN SEED.

A fresh supply of the above just received.

**A. S. WATSON & Co., LIMITED,**  
**THE HONGKONG DISPENSARY,**  
ESTABLISHED A.D. 1841.

**NOTICE TO CORRESPONDENTS.**  
Only communications relating to the news columns should be addressed to "The Editor."  
Correspondents are requested to forward their name and address with communications addressed to the Editor, not for publication, but as evidence of good faith.  
All letters for publication should be written on one side of the paper only.  
Orders for extra copies of the Daily Press should be sent before 11 a.m. on the day of publication. After that hour the supply is limited.

Telegraphic Address Press. Telephone No. 12

**The Daily Press.**  
HONGKONG, JANUARY 15TH, 1902.

This seizure by the Chinese Authorities of foreign goods at Fushan raises an interesting point, but one long since settled, namely, whether foreigners have the right to establish warehouses in the interior. The WAN-WA firm, which is the Chinese name of the firm now trading as WINTON & ROBINSON, have been doing a large business in the transit pass trade, and in the prosecution of their enterprise acquired premises at Fushan for the storage of their goods. Article XII of the Tientsin Treaty reads as follows:—"British subjects, merchants at the ports or at other places, desirous to build or open houses, warehouses, churches, hospitals, or burial grounds, shall make their agreement for the land or buildings they require at the rates prevailing among the people, equitably, and without coercion on either side." It may appear to have been in contemplation when this Article was negotiated, that warehouses might be opened by British subjects elsewhere than at the ports, and it is on this Article, we believe, that the WAN-WA firm relies to establish its right to do so. At Fushan houses, churches, and hospitals have been opened by foreigners, without objection of any kind being made in the same enumeration, stand on the same footing? Such, we understand, is the argument of the aggrieved parties in the present case. But the object of the Article is not to confer any right of residence or trade on foreigners, but to provide, as it is expressed in the marginal note, that "land may be purchased at any place at prevailing rates without coercion." Thus in places where warehouses may be opened the land may be purchased at prevailing rates without coercion, but it does not necessarily follow that warehouses may be opened anywhere. If foreigners were to be allowed to establish themselves wherever they please, the opening of special routes to foreign trade would be an absurdity. Article XII is certainly ambiguous, but its real meaning can be readily gathered from other portions of the Treaty. Whether there was some apprehension on the part of the Chinese that the Article could be read in the sense it is now read

by the parties whose property has been seized at Fatsien does not appear, but when the Dutch Treaty was negotiated a few years later it was expressly provided in Article III. that "Netherlands subjects shall not be at liberty to open houses of business or shops in the interior."

That the British Government did not claim any right for its subjects to open warehouses at non-treaty ports may also be gathered from the Chefoo Convention. In sub-section I of Section III. it is provided that at certain points on the Yangtze "those living all places of trade in the interior, at which, as they are not open ports, foreign merchants are not legally authorised to land or ship goods, steamers shall be allowed to touch for the purpose of landing or shipping passengers or goods; but in all instances by means of native boats only, and subject to the regulations in force affecting native trade." If British subjects already possessed the power to open warehouses wherever they pleased, "whether at the ports or other places," it would have been supererogatory to secure to them the privilege of landing and shipping goods at the ports named in the Chefoo Convention; but they have the express declaration that foreign merchants were not legally authorized to land or ship goods there, and the further provision that "Foreign merchants will not be authorized to reside or open houses of business or warehouses at the places enumerated as ports of call." Clearly therefore there can be no right to open warehouses at Fatsien, a place which has not even been opened to foreign trade so the limited extent of this point on the Yangtze mentioned in the Chefoo Convention. Whatever claim might originally have been founded on the ambiguous Article XII of the Tientsin Treaty has been swept away by the Chefoo Convention, which recognizes that foreigners have not the right to open warehouses in the interior. Whether it is desirable they should have such a right is an entirely different question; we are now only dealing with the strict interpretation of the treaties. And in his memorandum on the revision of the Tientsin Treaty, written in 1888, Sir THOMAS WADE explains how Article XII came to be worded as this. The words "other places," he says, were inserted on his own suggestion, and he admits that some other form of expression might have been chosen which would have more exactly defined the privilege which was in contemplation to obtain, but the words were misunderstood when they were held, as they were at that time by almost the entire community, to concede the right to British subjects to establish themselves in the interior just as they do at the ports. After the Treaty of 1842, it was found that at Canton, where the whole of the residences were then occupied by foreigners were the property of the Hongkong, the influence of the proprietors with the people was such that it became impossible for a foreigner to acquire premises even of the most humble description, beyond the limits known as the foreign factories, offer what terms he might. At Whampoa, the real port of Canton, the most determined opposition was offered to the building of warehouses or the acquisition of a site on which to build an office for the Vice-Consul whose presence was required to control the crews of the merchant shipping, frequently, at that time from 4,000 to 5,000 men. At Amoy the residence of foreigners on the island of Kulangsu was protested against. At Foochow and Ningpo similar difficulties were raised, and at Shanghai permission was refused formally to acquire building sites at Woosung, on the ground that Woosung was not in the port of Shanghai. Sir THOMAS WADE, in his memorandum, proceeds—"It was to meet objections of this kind, which were at once frivolous and vexatious, that I suggested the insertion of the phrase to supplement the word 'ports,' which events had shown to be not sufficiently comprehensive. This is the history of the employment of the words 'other places' and if other argument were wanted to meet the inference that they were manifestly intended to include the privilege of residence in the interior, I should appeal to the limitations of the passport privilege as defined in Article IX." This reading of the Treaty has been adopted by the British Government, and there is not the remotest prospect of their being induced to review their decision.

If an argument were raised at between the Consul at Canton and the Chinese Authorities that British subjects should be allowed to establish themselves at Fatsien—which is only about the same distance from Canton as Woosung is from Shanghai—then Article XII. would come into force and give the right to acquire land on reasonable terms. The Article, however, does not by itself give the right to build warehouses, and under the circumstances, the Fatsien firm, having made a mistake, would be well advised to cut their loss as soon as possible. They are, however, entitled, we think, to the assistance of the Consul to recover the value of the goods seized, for the Chinese Authorities, having tolerated the business for several years, must be held to have given a tacit assent to it, and when they wished to put an end to it they should have given due warning and secured the concurrence of the British Consul at Canton. They can have no right whatever to confiscate the goods until after investigation, should the parties to whom they belong demand investigation, and even if it be conceded that they had a right to seize they have gone beyond that right in doing wrongful and unnecessary damage, such as destroying the office furniture and fittings and breaking the windows. From whatever point of view it be regarded, therefore, the case is one that calls for energetic Consular action. The real object of the Chinese is, of course, to break up the transit pass trade, but such high-handed action as that taken at Fatsien should not only make the British Government more determined to enforce compliance with Treaty rights, at the same time of course seeing that those rights are not overstepped by its own subjects. So long as the Chinese refuse to act according to the Treaty various irregularities are likely to spring into existence. Strict adherence to what is right on both sides is the only way to promote amicable trade relations, and while the British Government cannot pursue its subjects in any inference or evasion,

of the Treaty it ought firmly to insist that the stipulations of the Treaty shall be observed with equal loyalty by the Chinese Authorities and that the obstacles placed in the way of the transit pass trade shall be removed.

It is very difficult to find any explanation for the diverse action taken by the Naval Authorities in the cases of the two missing steamers *Namchow* and *Somdech Pura Nua*. The promptitude shown in the despatch of the *Porpoise* in quest of the *Namchow* was most commendable, and though the event turned out it was useless to save the hapless crew on board, Captain Burke was soon able to resolve a doubt as to their fate. What was admirable in the case of the *Namchow*, a steamer owned by Chinese who are British subject could hardly be described otherwise if applied to a steamer owned by Englishmen. It would be extremely interesting to know what motives governed the decision of the Naval Authorities. The place where *Somdech* was last sighted, near Cabanulao, off the Luzon coast, is certainly a safe steaming further from Hongkong, but cannot degrade the Admiralty by supposing that such a petty consideration as a slow rate of coast—that of which no doubt the owners of the missing vessel would be delighted to pay for that matter—could possibly weigh with the Admiralty. The Admiralty's opinion, so runs the Secretary's reply to the application of Mr. MORRIS for the vessel to be despatched to search for the missing steamer, that "the search requested is more properly one to be instituted by the vessels of the Scottish Oriental Company engaged in the Java trade on the same track." Now possibly, Sir FRANCIS RICHARDS is not aware that the Scottish Oriental Co. are not engaged regularly in the Java trade, the *Somdech* having been taken off her regular line to Bangkok just for this voyage, and the Company would not have applied for assistance had they been in a position to make the search by one of their own fleet. Their steamers are employed on other lines, and as time is a matter of first importance when a maritime disaster is feared the manager of the Company acted rightly in applying to those who are properly regarded as the protectors of the British mercantile marine. There were British lives at stake, and we feel that Admiral RICHARDS is too true an Englishman to lightly leave his countrymen to their fate. The gallant officer evidently could not have taken in the position; he must have imagined that the Scottish Oriental Company run regular line of steamers to Java, and saw reason therefore why one of the vessels should not be entrusted to proceed in search either on the up to Hongkong or down to Java trip. Now, however, that he is made acquainted with the facts, he will surely despatch one of the fastest cruisers with instructions to search the bays along the Luzon coast, the Scarborough Shoal, and any of the neighbouring islands where the loss is any likelihood of the crew having been landed from the boats. The wife of the captain was on board with him, and there were at least six British officers, possibly also some European passengers. The vessel was a fine steamer, and if only disabled might perhaps have towed into port. In any case there are valuable lives to be considered, and the same prompt effort made in the case of the *Namchow* may prove more successful in that of the *Somdech*.

The B.M.S. *Empress* of Japan left Yokohama yesterday for Aniover.

The *Asochie* arrived here yesterday morning with her second cargo of Hongkong coal.

The F. & O. steamer *Rhodios*, with the new entered English mail, left Singapore at 6 a.m. yesterday for this port.

During 1891 there were 157,275 cases of smallpox imported, 52,690 from Hongkong and 104,585 from the Straits. The value was estimated at £1,848,575.

The Shanghai cricket team will probably arrive on or about the 31st February next, and it is almost certain that the Straits team will arrive about the same time.

The newspaper receipts from the Straits Settlements has been reduced. Singapore papers received yesterday have a one cent stamp, and the is surcharged on the old yellow eight cent stamp.

The Agents (Messrs. Siamson & Co.) inform us that the D. D. R. steamer *Belona*, from Hamburg, arrived at Wellesbourne, England, at 9 a.m. for this port and may be expected here on or about the 20th inst.

We learn from the *Hongkong News* that Mr. T. L. Ingall having resigned office as Municipal Commissioner, in consequence of his absence from Kowloon for a time, Mr. A. Woolley was elected to fill the vacancy without opposition.

The earthquake on the 23rd inst., of which (see the *News*) we felt vibrations in Kobo, was several days ago the strongest ever experienced since October 28th. The people ran to the sea, away from houses, several of which collapsed. A gale too locally was felt. Gifu and Kuwana were also badly shaken.

There appears to be a partial failure of all the rice crops south. The scarcity of grain is being felt in the straits, and is being met more fully by the tillage of the districts and the trials. Some thousands of Upper Burmah have emigrated to Lower Burmah. The majority of the rice fields are being abandoned.

A correspondent writes in the *Straits Times* of the 4th inst.—"The 'Mutual' steamer *Ping-pong*, which has lately distinguished herself in carrying the 2nd of the strangled, was expected here on the 2nd inst. The people ran to the sea, away from houses, several of which collapsed. A gale too locally was felt. Gifu and Kuwana were also badly shaken.

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## INSURANCES

**TRANSATLANTIC FIRE INSURANCE COMPANY OF HAMBURG.**  
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**SIEMSEN & Co.**  
Agents.  
Hongkong, 16th November, 1872.

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ASSURANCE COMPANY IN  
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**T**HE Undersigned, having been appointed Agents for the above Company, are prepared to **ACCEPT RISKS** against FIRE and LIFE at Current Rates.

**REUTER, BRÖCKELMANN & Co.**  
Hongkong, 1st July, 1889.

**THE MAN ON INSURANCE CO  
PANY, LIMITED.**

**HEAD OFFICE—HONGKONG**  
**CAPITAL (SUBSCRIBED), \$1,000,000.**

**BOARD OF DIRECTORS:**  
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**BAN HUP, Esq.,** **YOW CHONG PING, Esq.,**  
**CHAN LI CHOY, Esq.,** **Q. HOI CHUNG, Esq.,**

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MARINE RISKS to all parts of the World  
payable at any of its Agencies.  
Contributory Dividends are payable to  
Contributors of Business, whether they be  
Shareholders or not.

WOO LIN YUEN  
Secretary.

HEAD OFFICE,  
No. 2, Queen's Road West,  
Hongkong, 14th March, 1881.

**PHENIX FIRE OFFICE**  
The Underinsured are now prepared  
**GRANT POLICIES OF INSURANCE** against  
**FIRE** at Current Rates.  
**DOUGLAS LAFRAIK & Co.,**  
Agents for the Phoenix Fire Office  
Hongkong, 17th August, 1887.

ESTABLISHED 1870.  
HEAD OFFICE,—Hongkong  
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PAID-UP CAPITAL ..... \$ 400,000  
RESERVE FUND ..... 749,000  
CLAIMS PAID ..... 848,000  
BONUSES PAID ..... 463,000  
RISKS accepted at CURRENT RATES  
PREMIA.....  
JAS. B. COUGHTREIN  
Secretary.  
Hongkong, 15th April, 1891.

**FIRE INSURANCE COMPANY, OF HAMBURG.**

**T**HE Undersigned having been appointed Agents for the above Company, prepared to **ACCEPT RISKS**, against FIRE at Current Rates.

**REUTER, BRÜCKELMANN & Co**  
Agents.

Hongkong, 1st July, 1899.

**A FONG, PHOTOGRAPHER**  
Has just added to his COLLECTION  
of VIEWS some NEW SCENES and Photo-  
graphs of NATIVE TYPES, copies of which are obtainable  
in his Studio or at Messrs. KELLY & WALSH'S.  
IVORY, MINIATURES of Superior Quality  
of Excellent and High Finish. PERMANENT  
ENLARGEMENTS of PHOTOS, and VIEWS  
reproductions of the same on Paper, Canvas,  
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**STUDIO—ICE HOUSE LANE.**

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**SHIPPING IN PORT.**

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**HONGKONG.**

**STEAMERS.**

Alwine, German, str., 400, J. Petersen, Jan.

Wielor & Co.  
Amiot, Nor. str., 528, J. Jurgens, Jan.  
Ed. Schellhess & Co.  
Amigo, German str., 771, Bruhn, Jan.  
Wielor & Co.  
Avocbie, British str., 1,055, T. Rowin, Jan.  
Melchers & Co.  
Belgie, Brit. str., 2,695, Wm. Walker, Jan.  
O & C. S. Co., for San Francisco  
Canton, British str., 1,110, T. Sellar, Jan.  
Jardine, Matheson & Co., for Shanghai  
Chowchow, Chinese str., 708, G. Benson, Jan.

Melchers & Co  
Chusac, German str., 623, W. Wondt, Dec. 1  
Melchers & Co.  
Cleere, British str., 1030, A. George, Dec. 2  
Butterfield & Swire  
Clara, German str., 675, H. Ipland, Jan. 1  
A. R. Marty  
Doner, German str., 1049, Grandmann, Dec. 3  
Wieler & Co.  
Dora Furster, Brit. str., 1270, Morgan, Jan. 1  
Mitsui Bussan Kai-ka

Doris, German steamer, 771, Raltes, Dec. 3  
 Wieler & Co.  
 Elze, German str., 747, W. Jessau, Jan.  
 A. R. Marty  
 Empress of China, Brit. str., 8,003, Pybus, Jan.  
 S. Dodwell, Cardill & Co., for Van-couver  
 Fishman, British str., 1,425, H. C. & M. Steam  
 boat Co., for Canton  
 Ferness, British str., 674, T. P. Hall, Jan. 14  
 Douglas Lapraik & Co., for Tamsui  
 General Werder, German str., 1,820, Blank  
 Jan. 14, Melchers & Co., for Yokohama

Haiphong, French str., 874, Fauran, Jan. 18.  
 Messageries Maritimes, for Haiphong  
 Häiten, British str., 1,182, S. Ashton, Jan. 10.  
 Douglas Lapraik & Co. for Coast Ports  
 Hankow, British str., 2,235, Lloyd, Butterfield  
 & Swire, for Canton  
 Hennagshan, British str., 1,034, Brook, June 20.  
 H. V. & M. Steamboat Co., for Mague  
 Hoosien, British str., 1,344, G. B. Lefavour, H.  
 C. & M. Steamboat Co., for Canton  
 Humber, German str., 896, Piper, Nov. 25.  
 Wipac & Co.

Jiangkwan, Chi. str., 1,030, Knights, Mar. 12.  
 C. M. S. N. Co., for Canton.  
 Jiaoking, British str., 1,061, W. E. Clarke,  
 H. C. & M. Steamboat Co.  
 Jingschow, British str., 238, A. Cruickshank,  
 H. C. & M. Steamboat Co.  
 Jiefoo, Chinese str., 1,338, Lunt, Jan. 13.  
 C. M. S. N. Co.  
 Jinhuan, British str., 604, Blackburn, Jan. 13,  
 Chinese.  
 Jorpe, German str., 762, R. Kohler, Jan. 13,  
 C. M. S. N. Co.

S. de Loreto, Spain, str., 83, O. Lusanga,  
 Jan. 12, Chinese  
 sig, British str., 234, Chinese, for Canton  
 re Chua Chom Kiao, Brit. str., 1,011, Morris,  
 Jan. 13, Yuen Fat Hong  
 et Fish, British str., 117, Slopiani, H. & W.  
 Dock Co.  
 wan, British str., 1,843, S. W. Goggin, H. C.  
 & M. Steamboat Co., for Canton  
 sala, German str., 685, J. Jessen, Jan. 14  
 Siemens & Co.

Methuen, Brit. str., 1,492, Webster, Jan. 14,  
 Butterfield & Swire for Shanghai  
 Spongia, British str., 1,387, Farrand, Jan. 12,  
 Butterfield & Swire  
 str., British str., 2,735, Jas. Rowley, Jan. 14,  
 Dodwell, Carill & Co. for New York  
 Sagan, British str., 1,054, Price, Dec. 27,  
 Butterfield & Swire  
 re Nordiska, Danish t. le. str., Samsen, Jan.  
 12, G. N. T. Co.  
 Athayon, British str., 1,740, Smith, Jan. 13,  
 Dodwell, Carill & Co. for Shanghai. do.

On, British str., 769, Gololouski, April 27,  
Chinese, for Canton  
Chang, British str., 1,350, H. Hogg, Jan. 11,  
Jerdine, Metheson & Co., for Shanghai  
Farind, Nor. str., 883, L. Castley, Nov. 21,  
Wieler & Co.  
Famph, German str., 674, J. Bruhn, Jan. 13,  
Wieler & Co.  
X, German str., 739, Johaansen, Dec. 11,  
Wieler & Co.  
Harris, German str., 612, Moller, Jan. 12,  
Wieler & Co.

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